

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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|------------------------|-------------|---------------------|
| JOHN FULTON, |) | |
| |) | |
| | Plaintiff, |) |
| |) | 20-cv-3118 |
| v. |) | |
| |) | Judge Lefkow |
| ROBERT BARTIK, et al., |) | |
| |) | Jury Trial Demanded |
| | Defendants. |) |
| |) | |
| ANTHONY MITCHELL, |) | |
| |) | |
| | Plaintiff, |) |
| |) | 20-cv-3119 |
| v. |) | |
| |) | Judge Lefkow |
| ROBERT BARTIK, et al., |) | |
| |) | Jury Trial Demanded |
| | Defendants. |) |

CITY DEFENDANTS' MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants City of Chicago Robert Bartik, John Zalatoris, James Breen, Edward Winstead, Joseph Struck, Michael Kennedy, Michael Schmitz, Brian Skora, Detective Aguirre, Leonard Rolston, Stephen Franco, and Robert Girardi (collectively "City Defendants"), move to dismiss with prejudice the Complaints filed by Plaintiffs John Fulton and Anthony Mitchell.

In support of their motion, Defendants have filed an accompanying Memorandum of Law and supporting exhibits.

WHEREFORE, for the reasons set forth in the City Defendants' Memorandum of Law, the Court should dismiss with prejudice the Complaints filed by Plaintiffs John Fulton and Anthony Mitchell under Rule 12(b)(6).

Respectfully submitted,

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| <p><u>s/ Shneur Nathan (Att. #6294495)</u> Shneur Nathan (snathan@nklawllp.com) Avi Kamionski (akamionski@nklawllp.com) Grzegorz Labuz (glabuz@nklawllp.com) Nathan & Kamionski LLP Special Assistants Corporation Counsel 33 W. Monroe, Suite 1830 Chicago, IL 60603 (312) 612-1955 Direct</p> <p><i>Attorneys for Individual City Defendants</i></p> | <p>Mark Flessner Corporation Counsel for the City of Chicago</p> <p><u>s/ Michael D. Bess</u> Michael D. Bess (mdbess@michaelbest.com) Michael Best & Freidrich LLP Special Assistants Corporation Counsel</p> |
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Certificate of Service

I, the undersigned attorney, hereby certify that I caused the foregoing document to be filed with the Court's CM/ECF system, which provided electronic notice and a copy of the same to all counsel of record.

/s/ Michael D. Bess